



PATENT
ATTORNEY DOCKET NO. 1611/A43

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I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

John F. Perullo
Printed name of person mailing correspondence

John F. Perullo
Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Prybella et al. Art Unit: 2856
Serial No.: 10/801,180 Examiner: Raevis
Filed: March 15, 2004 Customer No.: 41883
Title: Closed System and Method for the Sampling and Testing of Fluid

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 C.F.R. §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the applicant requests consideration of this information disclosure statement.

Compliance with 37 C.F.R. §1.97

A. ☒ This information disclosure statement has been filed

(Check 1, 2, 3 and/or 4 below)

1. ☐ within three months of the filing date of a national application.
2. ☐ within three months of the filing date of the entry of the national stage, as set forth in 37 C.F.R. §1.491, in an international application.

3. ☐ before the mailing date of a first office action on the merits in the above-identified application.

4. ☒ Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.

No fee or certification is required.

Information Cited

A. ☒ The applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the relative importance of the references. Applicants have omitted from this submission copies of the cited U.S. patents and U.S. patent application publications in accordance with the Office's waiver of the requirement under 37 CFR 1.98(a)(2)(i) for all U.S. national patent applications filed after June 30, 2003. See "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003," USPTO Pre-OG Notice, July 11, 2003.

B. ☒ The applicant hereby makes the following additional information of record in the above-identified application:

1) ITL Corporation - Samplok® Sampling Kit (SSK) Product information from ITL Corporation Product catalog, available on-line (internet) through URL:

www.itlcorporation.com/level2/frames/products/i_ssk.htm

Includes 2 pages of catalog description and a 1 page PDF file. On-line information available as of March 31, 2004. Earliest date available is unknown. An internet archive search on "Wayback Machine" (web.archive.org) for the the URL cited above returned one result confirming presence of the internet site on July 23, 2004. Wayback search result (1 page) attached.

2) Gambro BCT - Example Standard Operating Procedure: Sampling Platelet Products Using the Tima® Accel® Enhanced Platelet, Plasma RBC Set Catalog #80440,80449 And/Or Blood Component Sampling Set Catalog # 70051, Gambro BCT, Inc. 8 pages. Date available: copyright notice for the catalog entry provides date of first publication as 2005. Earliest date available is unknown.

3) Charter Medical – Platelet Sampling Devices, Product information from Charter Medical Ltd. Product catalog, available on-line (internet) through URL:

www.chartermedical.com/products_catalog-detail.cfm?PID=73&cid=79

Includes 6 pages of catalog description. On-line information available as of March 15, 2004. Copyright notice on the on-line catalogue section indicates first publication dates of 1998-2004. Earliest date available is unknown. An internet archive search on "Wayback Machine" (web.archive.org) for the URL cited above returned no results to confirming presence of the internet site Wayback search result (1 page)

attached.

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

- The examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
- The enclosed form PTO-1449 be signed by the examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
- The citations for the information be printed on any patent which issues from this application.

By submitting this information disclosure statement, the applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

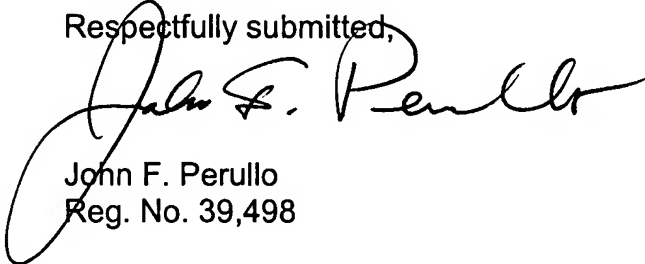
By submitting this information disclosure statement, the applicant makes no representation that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this information disclosure statement, the applicant makes no representation that the information cited in the statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

It is understood by applicant that the foregoing information will be considered and, to the extent deemed appropriate by the examiner, will be reflected in the examiner's communication.

Any necessary fee or additional charges or any credits may be applied to Deposit Account No. 50-3067.


Respectfully submitted,



John F. Perullo
Reg. No. 39,498

Date: September 22, 2005

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Form PTO-1449 INFORMATION DISCLOSURE STATEMENT		Docket No.: 1611/A43	Serial No. 10/801,180
		Applicant: John R. Prybella et al.	
		Filed: March 15, 2004	Group: 2856

U.S. Patent Documents							
Ex.		Doc. No.	Date	Name	Class	Subcl.	Filed

FOREIGN PATENT DOCUMENTS							
Ex.		Doc. No.	Date	Name	Class	Subcl.	

OTHER DOCUMENTS (including, Author, Title, Date, Pages, Etc.)		
Ex.		<p><u>ITL Corporation - Samplok® Sampling Kit (SSK) Product information from ITL Corporation Product catalog, available on-line (internet) through URL:</u></p> <p><u>www.itlcorporation.com/level2/frames/products/i_ssk.htm</u></p> <p>Includes 2 pages of catalog description and a 1 page PDF file. On-line information available as of March 31, 2004. Earliest date available is unknown.</p>
		<p><u>Gambro BCT - Example Standard Operating Procedure: Sampling Platelet Products Using the Tima® Accel® Enhanced Platelet, Plasma RBC Set Catalog #80440,80449 And/Or Blood Component Sampling Set Catalog # 70051, Gambro BCT, Inc. 8 pages. Date available: copyright notice for the catalog entry provides date of first publication as 2005. Earliest date available is unknown</u></p>
		<p><u>Charter Medical – Platelet Sampling Devices , Product information from Charter Medical Ltd. Product catalog, available on-line (internet) through URL:</u></p> <p><u>www.chartermedical.com/products_catalog-detail.cfm?PID=73&cid=79</u></p> <p>Includes 6 pages of catalog description. On-line information available as of March 15, 2004. Copyright notice on the on-line catalogue section indicates first publication dates of 1998-2004. Earliest date available is unknown.</p>

Examiner:	Date considered
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. An * indicates references that do not require a copy to be provided under 37 C.F.R. §1.98(d) because a copy was previously cited or submitted in a prior application, which is relied upon under 35 U.S.C. §120.